

**RECEIVED  
CENTRAL FAX CENTER****MAY 24 2005****FACSIMILE COVER SHEET**

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Date: May 24, 2005

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on May 24, 2005.

Signed: Michael Rodriguez  
Michael Rodriguez

**Receiver:** Examiner Graham, Andrew R.  
**Art Unit:** 2644  
**Company:** United States Patent and Trademark Office  
**RE:** Application No: 09/854,304  
In re: Bernardi et al.  
Filed: May 11, 2001  
Entitled: Auto-Adjust Noise Canceling Microphone with Position Sensor  
Atty. Dkt. No. 01-4962  
**Fax no.:** (703) 872-9306  
**Pages:** 10 (including this cover sheet)  
**Sender:** Peter Hsieh, Reg. No. 44,780

**MESSAGE:**

Attached are:

- (1) Amendment Transmittal (1 page) and;
- (2) an Amendment (8 pages) in response to the outstanding Office Action for the above-referenced patent application.

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
CENTRAL FAX CENTERIn re the application of:  
Bernardi et al.

Application No: 09/854,304

Filed: May 11, 2001

Title: Auto-Adjust Noise Canceling Microphone  
with Position Sensor

Atty. Dkt. No. 01-4962

Examiner: Graham, Andrew R. MAY 24 2005

Assignee: Plantronics, Inc.

Art Unit: 2644

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Signed: 

Typed Name: Michael Rodriguez

RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. §1.116Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the final Office Action dated February 24, 2005 issued in connection with the above-identified patent application, for which a response is due May 24, 2005. Accordingly, this response is timely filed. Applicant respectfully requests that the Examiner enter the amendments and consider the Remarks presented herein.

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:  
Bernardi et al.

Application No: 09/854,304

Filed: May 11, 2001

Title: Auto-Adjust Noise Canceling Microphone  
with Position Sensor

Atty. Dkt. No. 01-4962

Examiner: Graham, Andrew R.

Assignee: Plantronics, Inc.

Art Unit: 2644

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated as shown below.

	Claims Remaining After <u>Amendment</u>	Highest Previously <u>Paid For Extra</u>	Present	SMALL ENTITY <u>RATE FEE</u>	OR	LARGE ENTITY <u>RATE FEE</u>
Total Claims	-	-	-	x 9 = \$		OR x18 = \$
Ind. Claims	-	-	-	x44 = \$		OR x88 = \$
			<u>TOTAL</u>	\$		\$

- ☐ Applicant(s) hereby petition for a \_ month(s) extension of time to respond to the Office Action Please charge \$0.00 to Deposit Account No. 50-2315 (Order No. 01-4962). A copy of this sheet is enclosed.
- ☒ Applicant believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1217 (Order No. PLANP045).
- ☒ If the required fees are missing or any additional fees are required during the pendency of the subject application, please charge such fees or credit any overpayment to Deposit Account No. 50-1217 (Order No. PLANP045). A copy of this sheet is enclosed.

Respectfully submitted,



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